

RCGP Advertising Guidelines 2017

Advertising in the UK is regulated by both UK and European legislation, and the Royal College of General Practitioners (RCGP) complies with the Medicines and Healthcare products Regulatory Agency, Prescriptions Medicines Code of Practice Authority, the Proprietary Authority of Great Britain, Advertising Standards Authority, *unless specifically stated* and other governing bodies.

The RCGP Advertising Guidelines apply to the acceptance of all advertisements and promotional literature published in any publication produced under the direction of the RCGP, including the British Journal of General Practice, BJGP Open, Emma's Diary, InnovAiT and on the website.

The inclusion of any advertisement does not imply approval or recommendation of the content, the terms of any offer or of the advertiser by the Royal College of General Practitioners or the publication.

Acceptance of Advertisements

All advertisements must be legal, decent and honest and should contain nothing that is likely to cause serious or widespread offence. Particular care should be taken to avoid causing offence on the grounds of race, religion, sex, sexual orientation or disability.

The Advertiser shall guarantee that no advertisement: (i) shall infringe or prejudice the rights of any third party (including intellectual property rights); (ii) shall be defamatory of any third party; (iii) shall constitute unfair competition or any tort or civil wrong; (iv) shall infringe the British Code of Advertising Practice, or any statutory or EC requirements or regulations relating to advertisements; (v) shall advertise goods or services which do not comply with all relevant statutory or EC requirements or regulations.

Before submitting an advertisement for publication, advertisers must hold documentary evidence to prove all claims, whether direct or implied that are capable of objective substantiation. References to tests, trials, professional endorsements, research facilities and professional journals should be cited. Further relevant evidence requested by the RCGP should be sent without delay and the adequacy of evidence will be judged on whether it supports both the detailed claims and the overall impression created by the advertisement.

Advertising is subject to the Editor, or his appointee's approval, Editorial Board and they reserve the right to refuse any advertisement or discontinue the publication of previously approved advertisement(s) they feel would not be in keeping with the RCGP's position as a registered charity seeking to improve the quality of general medical practice. There may also be circumstances where the RCGP refuses an advertisement on the grounds that it may have a serious impact on its business.

No liability is accepted for the exclusion of an advertisement due to the delay caused by the acceptance procedure.

The RCGP has specific policies listed below which the advertiser is required to comply with:

1. Advertorials

Advertisers should ensure that advertisements are designed and presented in such a way that they can be easily distinguished from editorial. The word "advertisement" will be appended to copy that, in the RCGP's opinion, resembles editorial matter.

2. Alcohol

The RCGP does not accept advertisements for alcoholic drinks even if they conform to the British Code of Advertising Practice, Sales Promotion and Direct Marketing.

3. Baby Milks

The RCGP's publications does not accept advertising for milk products, in accordance with the International Code of Marketing of Breastfeeding Substitutes and does not allow the promotion of; infant milks and formulas, follow on milks, food promoted for use before 6 months of age, infant teats, juices, or any bottles associated with bottle feeding. Breast pumps are exempt from this list.

4. Cosmetic Clinics

Advertisements are accepted on the basis that they are a registered company and that they conform to the British Code of Advertising Practice, Sales Promotion and Direct Marketing.

5. DI and IVF Clinics

Advertisements are only accepted from clinics that are licensed and regulated by the Human Fertilisation and Embryology Authority.

6. Environmental Claims

Advertisements should conform to the British Code of Advertising Practice, Sales Promotion and Direct Marketing.

Claims such as 'environmentally friendly' or 'wholly biodegradable' should not be used without qualification unless marketers can provide convincing evidence that their product will cause no environmental damage when taking into account the full life cycle of the product. Qualified claims and comparisons such as 'greener' or 'friendlier' may be acceptable if marketers can substantiate that their product provides an overall improvement in environmental terms either against their competitors' or their own previous products.

7. Employment and Recruitment

The RCGP accepts advertisements that comply with the Race Relations Act, the Disability Act, the Sex Discrimination Act, the Employment Equality (Religion or Belief) Regulations, the Employment Equality (Sexual Orientation) Regulations 2003 and the Employment Equality (Age) Regulations 2006. This means that we will not accept advertisements that indicate or may reasonably be understood to indicate an intention to discriminate on grounds of sex, colour, race, nationality, disability, religion, sexual orientation, age or ethnic or national origins unless specifically exempt under the relevant statute. Advertisers wishing to claim an exemption will be asked for full supporting information.

Applicants are solely responsible for checking terms and conditions of service. They should also be aware that UK law does not apply to advertisements from overseas.

Advertisements from locum agencies are accepted provided that the company is registered. Agencies based in the UK should be a member of the Recruitment and Employment Confederation.

8. Financial Services and Products

Advertisers must comply with the numerous statutes that govern financial services and products including issuing advertisements, investment opportunities, credit facilities and the provision of financial information.

The RCGP, in accepting financial advertisements does so on the understanding that their copy content, authorisation and placing have been processed in accordance with the requirements of the Financial Services and Markets Act 2000 and the Financial Services and Markets Act 2000 (Financial Promotion) Order 2005, both enforced by the Financial Services Authority (FSA), and also to other rules and relevant guidance issued by the FSA.

Any advertisement requesting financial donations or cash with orders is unacceptable.

Advertisements for the services of Chartered Accountants must state that they are authorised to carry out investment business by the Institute of Chartered Accountants, England and Wales, Institute of Chartered Accountants, Scotland or are Chartered Certified Accountants (ACCA). Advertisements will not be accepted for Insurance Brokers unless they are members of the British Insurance & Investment Brokers Association.

9. Financial Incentives to GPs

The College does not accept any advertisement offering its readership financial incentives which specifically relate to patient care or contravenes the duties of a doctor registered with the General Medical Council.

10. Medical Devices and Instruments

All advertisements for medical devices and instruments must conform to the MHRA guidelines. Medical devices must also carry CE Marking and the advertiser should confirm the presence of CE Marking before the advertisement is submitted for approval.

The advertiser should make known any adverse incidences or published safety warnings associated with the devices on submission of copy for approval.

11. Medicines Homeopathic and Traditional Herbal Products

The RCGP supports the use of evidence-based medicine, in which current research information is used as the basis for clinical decision-making. In light of strong evidence to confirm that homeopathy has no effect beyond that of placebo as a treatment for various clinical conditions, the RCGP does not promote or accept advertising for homeopathic products and services.

12. Medicines Licensed For Use under Medical Supervision

Medicines must be licensed by the MHRA before they are advertised and any claims made for products should conform to the marketing authorisation contained in the licence.

Promotion of a medicine must conform to (i) the Medicines Act 1968, (ii) The ABPI Code of Practice and the advertising and promotion of Medicines regulations. Throughout the pharmaceutical industry, personnel are trained to ensure that promotional material conforms to (i) and (ii).

Further vetting of adverts from recognised companies is usually unnecessary. Advertisements for prescription only medicines will be accepted subject to the editor's approval.

13. Medicines Suitable for Advertising to the Public

Advertising to the public is permitted for medicines legally classified pharmacy sale (P) or general sale list (GSL). The Regulations prohibit the issue of any advertisement to the general public which is likely to lead to the use of a prescription only medicine (POM).

Advertisements should not suggest that one product is better than (or equivalent to) another identifiable treatment or product or that the effects of taking it are guaranteed. Material which refers in improper, alarming or misleading terms to claims of recovery must not be included.

Safe use of some medicines depends on compliance with certain conditions, which should be clearly indicated ie. Where a medical diagnosis is necessary before self treatment, or treatment is likely to be successful only if it continues, the advertising material should clearly reflect this. Advertisements should state "Always read the label".

Advertising of medicines to children should not be directed exclusively or principally at children. Advertisements using health professionals or celebrities to endorse medicines are unacceptable.

Advertisements suggesting that a medical product is either a food or a cosmetic are unacceptable.

14. Nudity

Advertisements displaying partial nudity are accepted on the basis that they are decent, appropriate and relevant to the product and publication. Full adult nudity would be unacceptable.

15. Pregnancy

Advertisements from Pregnancy advisory, sterilisation, vasectomy and pregnancy testing services are acceptable providing the advertiser is a recognised and registered clinic, run and staffed by medically qualified people.

16. Property

Property advertisements are accepted subject to the British Code of Advertising, Sales Promotion and Direct Marketing.

17. Slimming Products, Treatments and Clinics

Advertisements for products, treatments and clinics must conform to the British Code of Advertising, Sales Promotion and Direct Marketing and be approved by the editor prior to publication.

Any claims made for the effectiveness or action of a slimming method or product should be supported where appropriate by rigorous practical trials on people. Advertisements should not contain general claims that precise amounts of weight can be lost within a stated period or that weight can be lost from specific parts of the body.

Advertisers should be able to show that their diet plans are nutritionally well balanced. Diet aids such as low-calorie foods, food substitutes, appetite depressants and meal replacements should make clear how they work. They should also state that they cannot aid slimming except as part of a calorie controlled diet and that their GP should be consulted before embarking on a diet programme.

Advertisements for slimming clinics must show that they are a registered company and are managed by medically qualified people. Its staff must have relevant, recognised qualifications and be familiar with and operate within the GMC criteria for good practice.

18. Testimonials

Testimonials do not constitute substantiation and the opinions expressed in them must be supported, where necessary with independent evidence of their accuracy. Fictitious endorsements should not be presented as though they were genuine testimonials.

Testimonials from health professionals are permitted for medical publications and should and must reflect the genuine views of the author.

19. Tobacco

Advertisements for smoking cessation and smoking cessation products, which have undergone controlled trials and gives full prescribing information, are acceptable. For the avoidance of doubt, currently we do not accept advertising of e-cigarretes or vaping products.

20. Travel

Advertisements from agents/tour operators approved by ABTA, IATA, and ATOL are acceptable.

21. Vehicles, Vehicles Leasing and Products

Advertisements for cars or motoring accessories are acceptable providing they conform to the British Code of Advertising, Sales Promotion and Direct Marketing regarding responsibility to society.

Advertisers from car renting and leasing companies should be members of the British Vehicle Rental and Leasing Association (BVRLA).

22. Vitamins, Minerals, Food Supplements

Advertisements for the above should conform to the British Code of Advertising, Sales Promotion and Direct Marketing. Advertisements should not suggest that any product is safe or effective merely because it is 'natural'. Advertisers should hold scientific evidence for any claim that their vitamin, mineral product or food supplement is beneficial to health. If a vitamin, mineral or supplement is being used to treat or prevent a specific condition, then it will have to have a licence. Unlicensed products should not make medicinal claims. Supplements should not be promoted as a substitute for a healthy diet.

23. Overseas Recruitment

Advertisements from overseas recruitment companies and agents, promoting jobs and careers outside of the UK are not permitted.

24. Genetic Testing

Advertisements for companies offering genetic testing are not permitted.